

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PROMOS TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	C.A. No. 06-788-JJF
)	
v.)	
)	
FREESCALE SEMICONDUCTOR, INC.,)	
)	
Defendant.)	

SECOND NOTICE OF DEPOSITION PURSUANT TO RULE 30(b)(6)

PLEASE TAKE NOTICE that Plaintiff ProMOS Technologies, Inc., will take the deposition of Defendant Freescale Semiconductor, Inc. ("Freescale"), pursuant to Fed. R. Civ. P. 30(b)(6), on the topics set forth herein, beginning at 9:00 a.m. on August 15, 2007, at the offices of Ashby & Geddes, 500 Delaware Avenue, 8th Floor, Wilmington, DE 19899. The deposition will be recorded stenographically and by videotape.

The information set forth below is identical to that provided to Freescale in the Notice of Deposition served on Freescale on July 3, 2007 for a deposition scheduled July 20, 2008. Freescale failed to comply with that first Notice of Deposition, notwithstanding the stated willingness of ProMOS Technology Inc. ("ProMOS") to accommodate any request to reschedule the deposition at a time and place convenient to Freescale any time in the month of July 2007. As a result of Freescale's ongoing failure to comply with its discovery obligations, ProMOS will insist on strict compliance with this Notice of Deposition and with the Federal Rules of Civil Procedure.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Freescale shall designate one or more officers, directors, managing agents, or other individuals to testify on its behalf as to matters known or reasonably known to Freescale regarding the topics set forth below.

If more than one person is so designated, Freescale shall set forth in advance of the deposition the topic(s) or area(s) on which each designee will provide testimony.

Definitions And Instructions

1. The term "Freescale" shall mean Freescale Semiconductor, Inc., and any parent, subsidiaries, divisions, affiliates, and/or branches of the foregoing entities, any wholly or partly owned entities of the foregoing, any and all predecessors and successors thereof, and any entities acting or purporting to act for or on behalf of, or who are subject to the direction or control of, any of the foregoing entities, including agents, employees, officers, directors, attorneys, consultants, contractors, subcontractors and representatives.

2. The term "document" will have the same meaning as that term is given in the "Definitions" section of ProMOS Technology Inc.'s First Request for Production of Documents served April 12, 2007.

3. The term Freescale Product(s) will have the same meaning as that term is given in the "Definitions" section of ProMOS Technology Inc.'s First Request for Production of Documents served April 12, 2007.

Topics For Examination At Deposition

1. Documents maintained by Freescale that evidence the design and/or features of cache memories contained in Freescale Products.

2. Documents maintained by Freescale that evidence how cache memories are accessed in and/or used in Freescale Products.

3. Documents maintained by Freescale that evidence the design and/or features of cache memory controllers contained in Freescale Products.

4. Features associated with cache memories contained in Freescale Products.

5. Features associated with cache memory controllers contained in Freescale Products.
6. Any website maintained by Freescale and any information set forth therein that discloses features associated with cache memories or cache memory controllers contained in Freescale Products.

ASHBY & GEDDES

/s/ John G. Day

Steven J. Balick (I.D. #2114)
John G. Day (I.D. #2403)
Lauren E. Maguire (I.D. #4261)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
Telephone: (302) 654-1888
Telecopier: (302) 654-2067
sbalick@ashby-geddes.com
jday@ashby-geddes.com
lmaguire@ashby-geddes.com

*Attorneys for Plaintiff
ProMOS Technologies, Inc.*

Of Counsel:

William H. Wright
Hogan & Hartson LLP
1999 Avenue of the Stars
Suite 1400
Los Angeles, CA 90067
Telephone: (310) 785-4672
Facsimile: (31) 785-4601
E-Mail: whwright@hhlaw.com

Steven J. Routh
Sten A. Jensen
Hogan & Hartson LLP
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-6472
Facsimile: (202) 637-5910
E-Mail: sjrouth@hhlaw.com
sajensen@hhlaw.com

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